

**Before the
FEDERAL COMMUNICATIONS COMMISSION**

In the matter of)
REVITALIZATION OF THE AM RADIO SERVICE)
First Report & Order, Further Notice of) **MB Docket 13-249**
Proposed Rule-Making & Notice of Inquiry)

To: The Federal Communications Commission

COMMENTS FROM ROBERT BITTNER of BATH, MAINE

We are all aware of the maladies that have degraded AM broadcasting, so I will not describe them here, but rather just offer my opinions on how to improve AM service in two sections:

- 1) - Technical improvements
- 2) - AM Survival: Suggestions to make operating AM stations more affordable.

TECHNICAL IMPROVEMENTS: CLASS B STATIONS

Except those co-channel stations of Clear Channel stations, allow all Class B stations to increase day and night power to a point where their increased signals would reach to the halfway point of any other Class B co-channel station's same (newly-assigned) field-strength for each, with the option to use or not use a directional array. I suggest half-way, due to the fact that the smaller non-moneyed stations have a fair chance to enjoy a power increase, too, as the well-moneyed stations are likely to jump on it first, thereby without the half-way restriction, would spoil the chances for the smaller station to do the same.

TECHNICAL IMPROVEMENTS: CLASS C STATIONS

A power-increase of perhaps an additional 500 to 1000 watts, day and night would be a great help to Class C stations. Despite the fact that many of them are only 60 miles apart, this power increase would not affect the areas mid-way between them. It's an audio-dog-fight now, and would still be an audio-dog-fight afterwards, too. What would improve is their signals in their Cities of License, with virtually no change in the dog-fight areas.

TECHNICAL IMPROVEMENTS: SPECIFICALLY CLASS D STATIONS ON USA-CLEAR FREQUENCIES

The old Clear Channel model is outdated. Things have changed. There is little need for such anymore, however I am in favor of keeping most of the Clear Channel stations' protections. But they can easily give up a small portion of their nighttime coverage. For example, a daytimer in Annapolis, Maryland on 810 kHz and the people of that market would benefit greatly if that station would be granted 250 to 1000 watts at night. Such would be a far greater improvement for 810 in Annapolis, than the very minimal loss of Annapolis-area co-channel WGY (810 kHz, Schenectady, NY, 50,000 watts) listeners, if any.

When the old Clear Channel model was working well, most such stations programmed their stations locally. They had an identity of their cities. Now, most program their stations with one of two syndicated program networks, with little or no personnel presence after 7 PM; resulting in very little, if any, City-of-License identity. I am not saying that the smaller daytimer is necessarily going to do any better than the Clear Channel stations regarding localism, but the smaller stations are more likely to try, as they are not usually governed by the pressures and philosophy of Wall Street station owners to skimp on expenses.

I suggest that all Class D daytimers be allowed a nighttime power level of 250 to 1000 watts: With 250 watts on 540 kHz stations, with a gradually-rising mathematically-linear wattage to all Class D stations (on USA Clear Channel frequencies) all the way up to 1000 watts to 1600 kHz. That type of power grant would not be anywhere near enough to interfere anywhere-near the 50,000-watts co-channel station, despite any possible objections from the 50,000-watt stations claiming otherwise. Such 250-watt-to-1,000-watt signals from the small Class D stations would barely get past 50 miles, even as low-level chirping under the 50,000-watt signal.

TECHNICAL IMPROVEMENTS: CLASS D STATIONS ON CANADIAN AND MEXICAN CLEAR CHANNELS:

The same reasons for power-increases for daytimers apply here too, but since we're talking about international agreements, more caution must be practiced here. Perhaps a similar 540-to-1600 kHz linear increase would apply here, too, but at a small power level such as 50 to 500 watts. There is somewhat of a precedent here. About 10 years ago, the Commission granted two hours of post-sunset authority with up to 500 watts on many daytime Class D stations, on Canadian clear channel frequencies. (See correspondence folder of FCC site, under WJIB Cambridge, Mass (250 watts post-sunset granted) and WJTO Bath, Maine (500 watts post-sunset granted). Both stations are on Canadian clears). It is believed that such grants were later rescinded, but for other reasons, and such described authorizations still, to this day, are present in the FCC-site correspondence folders for most AM daytimers.

TECHNICAL IMPROVEMENTS FOR ALL CLASSES

I would suggest the following field strengths for separation:

Co-channel: B, C & D to A, as described above, or 0.05 mv/m to 0.5 mv/m, whichever is greater.

1st adjacent: 2.0 mv/m to 2.0 mv/m

2nd adjacent: 25.0 mv/m to 25.0 mv/m

TECHNICAL IMPROVEMENTS: WIGGLE-ROOM

Many AM stations are losing their tower sites because landlords have enjoyed the rising value of the land that the tower(s) sits on, or the rent have become sky-high if the landlord chooses not to sell. If the former, it is very difficult for a station to re-locate under the current FCC rules. I suggest that the Commission allow "major changes" at all times, not just during very infrequent windows. An AM station losing its site might find it possible to survive if it could change frequency beyond the "minor change" 3 spot limit. Furthermore, the Commission should license AM stations under 250 watts if stations want to apply for such.

A 100-watt lower limit would be appropriate. As an example, a small market 5,000 watt 3-tower directional station sitting on what the landlord wants to be a housing development could move 12 spaces down the dial, with 200 watts and one tower, and still serve 90% of the market that it covered before. The station survives. But under the current rules, it is likely not to survive, as it is nearly impossible to find land and get Town approval to build 3 towers. And if they do, it would take 2+ years to get approval, maybe another year to build, which is two years beyond the auto-license-cancellation after one year of silence. Giving AM stations wiggle-room saves money and enhances their ability to serve the communities from that saved money, several ways: No more monitoring points, no more expensive lengthy engineering, less rent paid (or less property taxes if the stations own the land), less insurance premiums.

ANTENNA EFFICIENCY

Another suggestion to foster more wiggle-room as described in the above section, is to allow a lower antenna efficiency; allowing shorter towers (such as Valcom) for all AM frequencies. Again, less liability, less local NIMBY problems, less land needed. Antenna efficiency or lack thereof does not create negative effects on the public.

WIDER USE OF FM TRANSLATORS FOR AM STATIONS

I support the Commission's suggestion to allow FM translators to be located within the "greater of" instead of the present "lesser of", regarding same presently-existing signal strength rules.

EXPANDED AM BAND 1610 to 1700

The Commission should allow applications for new stations on this band with power limits of 10,000 watts day and 5,000 watts night, but with the option to apply for less power of the applicant's choice and according to interference standards. Existing AM stations should also be allowed to apply to migrate there too, with existing 'daytimers' given the top priority. All of this, based upon first come first served, similar to the January 28, 2016 window for FM translators. As to the couple dozen AM stations which "rabbited" over 10 years ago, perhaps its best to let them be, as both stations in each "move" have, by now, been entrenched in serving their communities.

IBOC RADIO ON AM

This has been a total failure, and has been allowed to violate a sizable number of interference regulations. Any further use of this broadcast method should not be encouraged.

SECTION 2: SURVIVAL OF AM STATIONS, NON-TECHNICAL

Not only do AM stations need technical help, but also help with the ability to save funds from unnecessary expenses. The following points would GREATLY help the survival of AM stations:

- 1) – REGULATORY FEES. Since 1 in 7 listen to AM radio (of all people who listen to radio), then regulatory fees should reflect that. Presently fees for AM stations are about half that of FM stations. It should be 1/7th of the FM fees. To assure that the FCC makes budget, FM station fees of all classes should be heightened according to population served (with a couple more classes above the 5-million-served mark [presently the top rate class is set at 3-million-served mark, in order to keep the largest-market stations from paying their fair share]), and AM station fees should be lowered; both actions to reflect that 1-7 ratio. Furthermore, the range of fees amongst different classes of AM stations are also vastly way off from what they should be. For example, 50,000-watt WBZ-AM (Boston) pays approx. \$9,300 annually, and has grossed an average of \$30 million annually. 250-watts daytimer WJIB (Boston market from Cambridge) pays approx. \$5,600 annually, and it could bill just under \$1 million, on a good year. (Actual income figure for WJIB in 2015: only \$109,000.). The IMMENSE inequality, in favor of the largest stations is staggering. Almost double the fee for a station that grosses 30 times the other's potential? This is definitely not a lone situation, but rather extremely common. One Commissioner addressed this overall inequality a few years ago, but nothing has been done.
- 2) – AM STATION MAIN STUDIO RULES. It is my opinion that the marketplace should decide rules on this topic. Any station who chooses not to have too much of a presence in or near its city of license will possibly suffer from such, if not compensated by an increased way of 2-way communication. In our present age of easy communication, a physical presence is not very necessary. There are other ways for the public to communicate with any station. If an interview is in the making, it can be done by Skype. Communication now is largely done through social media, where on facebook, I am involved with listener comments and observations. The other is direct on-air offer for listeners to directly contact me by email. On such stations, I give out my email address on-air a dozen times a day. My point here, is that the old rules no longer cover today's happenstances, and keeping a main studio staffed the way the rules require and keeping a main studio within 25 miles of the City of License could be an unnecessary large expense. I would suggest 50 miles for the distance, and as to the ability for the public to contact station's management, let it be an either/or situation... staff presence OR requiring a clear way (postal address + toll-free phone number + email) for the public to contact the station. The latter is often the better. Eliminating offices and MAIN studios so such can join with other station(s) could easily save upwards of \$100,000 per year in rent, utilities, insurance, payroll, etc. Even with a relaxed rule on this, local interviews could be done very locally at a station-chosen optional less-expansive one-room "Satellite Studio" in or near the City of License on certain days of the week, and sent as an email attachment to the main studio. In fact, a station could have more than one Satellite Studio. And even Satellite Studios may not be needed due to the technology of small portable recording devices where the station's interviewer could go to the interviewee, or conduct and record an interview on Skype. *Today, it is not WHERE a station's main studio is, as much as HOW a station communicates with its listeners and advertisers.*

- 3) – PUBLIC FILE, DOCUMENTING PUBLIC AFFAIRS. Another cost-saving element involves the public file. Creating the issues and programming treatment lists takes about 30% of the time it takes to actually DO the programming. Changing the structure of the requirement for documentation would save time and money. I am still suggesting that all public affairs programming that is aired by the station be neatly documented, but not necessary to arrange it all *by topic*. I suggest that stations document their public service efforts every three months any way they choose, whether by topic, or by chronology, or by on-air program title. I do support the present requirement that stations must survey the public as to the present needs and concerns of its coverage area, as well as most other required elements of the public file.
- 4) – LOOMING ON-LINE PUBLIC FILES AND PRIVACY. While others are concerned about exposing rates charged for political candidates, I have no opinion on that. However, there IS one aspect of on-line public files that greatly concern me. That is display of comments (letters, emails) to the station from the public. In today's world it is more than appropriate to disclose to listeners that if they write a comment to the station, it will be scanned and placed "on the internet". That will definitely scare off a lot of people. That communication/opinions from the public will be lost, and that type of communication/opinions are even more important than what a station would get if they staffed a studio all day where few people would ever drop by. Presently, there's no need for a station to disclose that all letters are retained for 3 years because that may be assumed by the commenter. But if a station puts all comments on-line on the FCC site, that would shrivel to near zero, the valuable feedback about the station's programming, even if no one were to read the listener-letters on the FCC site, either.
- 5) - LOOMING ON-LINE PUBLIC FILES re AM and FM NON-COMM STATIONS AND PRIVACY. Non-commercial stations are largely supported by listener donations. Along with those donations are often letters telling the station what they like and don't like about what the station does; again important feedback. Stations most often state that they don't give out or sell names/addresses to anyone. That encourages donations and builds a trust. Requiring on-line postings/scans of such letters that come with donations violates that trust between the station and the listener. What is a station to do? Should the station black out the signature?, the sender's address? When the listener says that 3 of her 6 children enjoy the station, and one of them misses the station while he's in the military stationed in Germany, does the station black all of that out too? -since in a small town, a potential on-line reader would know who wrote that letter and donated. What if the reader is seeking donations for a different cause, and hits her up for a donation, saying "well, you donated to W---". ? - I, as a manager of AM stations (commercially-licensed , but dependent upon listener donations) which have received over 10,000 listener letters collectively over the past 20 years will have to purchase box-fulls of black makers should letters/comments to stations be required to be put on the FCC site. This relates to AM revitalization, too, because it is time and money to do such. Saving money is a key element to AM revitalization.

- 6) – OPTION TO CEASE AM OPERATION. While the purpose of this is “AM revitalization”, allowing AM stations who have FM translators to cease operating on AM, WILL help thin the herd on a crowded dial. But in order to allow this to happen, FM translators coupled with AM stations must be given a more permanent status. (Presently, any FM translator can be ordered to be shut off if a real or even manufactured complaint is filed by another station). In a somewhat similar manner, Canada has allowed AM’s to cease just after migrating to FM. This would be an optional choice of the AM licensee, and personally I would not do that as AM stations’ daytime signals go further than FM translators, but the choice should be there.

CONCLUSION

As a licensee, trusted to serve the public airwaves, I take this responsibility seriously. The only reason I submit my ideas is to make it more efficient to do so, by suggesting updating rules to fit today’s changed environment.

Respectfully submitted,

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